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To: Michael J. Stahl
Art Unit 2874

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Application of
Applicant : James E. Toney
Serial No. : 10/658,122
Filed : September 9, 2003
Title : WAVELENGTH SEPARATION DEVICES
INCORPORATING MULTI-BARRIER PHOTONIC
HETEROSTRUCTURES
Docket : BAT 0089 PA/40078.245
Examiner : Michael J. Stahl
Art Unit : 2874
Conf. No. : 9698

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Office Fax No. (703) 872-9306 on May 10, 2005.

James B. Boyer

Reg. No. 39,564

Sir:

COMMENT ON REASONS FOR ALLOWANCE

This paper is being filed in response to the Examiner's Statement of Reasons for Allowance in the above-noted application. Applicant respectfully submits that the comments by the Examiner in the Reasons for Allowance merely represent an attempt to restate or paraphrase the recitations of the claims. However, the language of the Examiner's restatement does not correspond precisely with the actual recitations of the claims and should not be used to interpret the scope of the claims of the present application or give rise to any implications regarding claim scope.

Respectfully submitted,
DINSMORE & SHOHL LLP

By


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